

COMMITTEE ON OPEN GOVERNMENT

STATE OF NEW YORK
DEPARTMENT OF STATE
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COMMITTEE MEMBERS

ANTONIO DELGADO
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JEANETTE M. MOY
ROBERT J. RODRIGUEZ
DAVID A. SCHULZ
FRANKLIN H. STONE
BLAKE G. WASHINGTON
STEPHEN B. WATERS

EXECUTIVE DIRECTOR

SHOSHANAH BEWLAY

MEETING MINUTES NYS COMMITTEE ON OPEN GOVERNMENT October 3, 2023, at 12:30pm

Members Present:

Albany: Ian MacCallum (OGS), Amanda DeSantis (Lt. Gov.), Peter Grimm, Stephen Waters, Amy Ottaviano (Budget)

New York City: Zoila Del Castillo (Secretary of State), Franklin Stone

Executive Director's Staff:

Shoshanah Bewlay, Kristin O'Neill, Miguel-Carlo Bautista, Candace Watson

Welcome:

Introduction of members and Director's staff.

Quorum present

Approval of Minutes:

On a motion to approve the minutes of the July 11, 2023, meeting of the Committee, all were in favor and the minutes were approved.

Director Update:

The Executive Director updated members on staff activities for the reporting year-over-year period and the period since the Committee's last meeting, including: 1463 calls handled, 335 since the last meeting; 2015 informal advisory opinions issued, 456 since the last meeting; 25 formal advisory opinions issued, two since the last meeting; 4561 appeals/determinations reviewed, 1264 since the last meeting; 47 training sessions (both virtual and in-person) provided to 5520 people, 13 training sessions (both virtual and in-person) provided to 515 people since the last meeting; and 25 foil requests received, two since the last meeting.

Discussion of Topics for 2023 Annual Report:

The Executive Director and her staff, following the public meeting agenda, provided a 2023 legislative update and reviewed topics for possible inclusion in annual report. Director also discussed the required supplemental report concerning implementation of OML § 103-a. Director will circulate, for review, a draft report within two weeks that incorporates the discussion and comments from the meeting and any additional comments, edits and material submitted by Committee members. Director will schedule a

meeting to discuss and vote on the annual report once the draft of the report contains all member comments and suggestions.

Public Comment:

No public comments.

Other or New Business:

Director reminded members and designees of November 1, 2023, Executive Law § 203-b compliance deadline.

A member raised the issue of vacancies in Committee membership and suggested that the issue be discussed in the annual report. Director agreed to include a discussion in the draft to be circulated.

A member asked staff to discuss trends in problem areas that they have noticed with reviewing appeal documents. Staff identified that a majority of complaints received concern delays in responding to FOIL; other frequently raised topics include questions about disclosure of law enforcement records, documents scheduled to be discussed during open meetings, remote open meetings, and the taking and posting of minutes of open meetings.

Adjourned: 2:06 pm.